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Question of equitable representation on and increase in the membership of the Security Council and related matters

Strengthening of the United Nations system

Follow-up to the outcome of the Millennium Summit

Note verbale dated 15 July 2005 from the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

The Permanent Mission of the Libyan Arab Jamahiriya to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith a proposal by Colonel Muammar Qaddafi concerning the problem of the Security Council and the reform of the United Nations with reference to Africa and the world (see annex).

The Permanent Mission of the Libyan Arab Jamahiriya would be grateful if this letter and its annex could be circulated as a document of the General Assembly at its fifty-ninth session under agenda items 53, 54 and 55.

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Annex to the note verbale dated 15 July 2005 from the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

The problem of the Security Council and the reform of the United Nations with reference to Africa and the world

The problem of the Security Council as far as Africa is concerned — irrespective of the reform of the United Nations and the enlargement of the Security Council as currently proposed — is that there should be a permanent seat for Africa on the Security Council because it is the only continent that does not have a permanent seat. This is a right of Africa, irrespective of United Nations reform or Security Council enlargement.

With respect to the United Nations reform as currently proposed, the African States are in the same position as other States seeking to gain a permanent seat on the Security Council; in other words, the right of Africa to permanent membership of the Council is an entitlement arising from the earlier phase and is tantamount to a debt owed by the world.

As for the new phase involving the addition of other permanent seats, Africa is entitled to enter the competition like the other continents, which currently have permanent seats and are requesting other seats, considering that the acquisition by Africa of a new permanent seat was not part of the previous calculations.

No African State will obtain a permanent seat other than because it is part of the African continent and has the support of Africa. Consequently, any permanent seat or seats that may be obtained will be for the African Union and for the benefit of the continent and, as such, will put an end to all competition for such seats. Competition exists at the moment because every State considers that the seat it is seeking to acquire is for its individual benefit and, as we have said, as long as the seat is for the benefit of the African Union, competition for it between States will cease. That being so, it is not important whether the seat is subject to rotation or not, and competition among States will also end and it will no longer matter which State acquires the seat. In that case, it would be preferable for the seat to go to the smallest African State and not to be exploited on a national basis. If the matter is looked at from that perspective, there will thus be no justification for making the seat a rotating one or making it permanent and competition between African States for the seat will come to an end.

This proposal represents the interests of the continent, preserves its unity and avoids fragmentation and division as a result of competition. The members of the African Union, in order to resolve the problems raised by United Nations reform and Security Council enlargement, should all sign an agreement whereby they undertake that the permanent seat will be for the African Union and not for a particular State, whether by rotation or otherwise.

On the other hand, if the new seats do not include the right of veto, those seats will have no importance and could therefore be sacrificed in return for a larger number of seats for Africa. For example, if in the past there had always been two seats for Africa, there should — given what has emerged in connection with the

reform of the United Nations and the enlargement of the Council — be four or five member States whose membership is transferred every two years to other States.

As we stated at the outset, a permanent seat for Africa is an entitlement arising from the earlier phase under which Africa must become a permanent member of the Council since it is the only continent not to be represented on the Council. This seat will have the above-mentioned characteristics and all members of the African Union will be bound by the instrument to be signed as we mentioned earlier.

If any African State tried to acquire this seat or competed for it with other States, that would be a matter for concern because that State would be seeking to gain the seat for itself; what must be emphasized here is that such a State would not have been able to win the seat otherwise than as an African State.

At a worldwide level we have begun to think aloud about the reform of the United Nations rather than the reform of one of its organs, because the matter is of such importance and gravity that it must not be reduced to that. The United Nations means the General Assembly and not the Security Council. The United Nations also comprises the Economic and Social Council, the International Court of Justice and other specialized bodies and institutions embracing different fields such as the Trusteeship Council. Nor is it merely a matter of the enlargement of the Security Council because what has been proposed to the world is the reform of the United Nations. To speak merely of the Security Council is contrary to the purpose of the reform that was needed which was principally reform of the General Assembly which represents the nations of the world. How can we call for the establishment of parliaments in countries, and for authority to be conferred on them, and say that Governments are subordinate to such parliaments, and that the parliamentary legislators are the people who have power, and that Governments must give effect to their enactments, and then do the opposite in the United Nations where we turn the world parliament, namely the General Assembly, into a talking shop? It is not permissible for us to call for democracy in the States of the world and then engage in undemocratic practices in such a forum, which do not achieve justice. What must be done is to transfer the authority of the Security Council to the General Assembly of the United Nations, thus rectifying the situation, achieving democracy and making competition meaningless. In fact, competition will end because each country would be represented in the General Assembly by its own permanent seat.

If this solution is rejected, we should abolish the General Assembly, save the costs that are wasted in running it and respect the nations that are now being treated with contempt leaving only the Security Council. At that point, talk of enlarging the Security Council and its powers would become logical. There must be equality in the injustice that currently exists, or a reduction in the degree of injustice in the Security Council with respect to its resolutions.

Problems of Security Council enlargement

It is clear, if what is now being proposed is adopted, that the Members of the United Nations will be treated with contempt and nations and peoples will be duped and made fools of. This means that there is no real intention to reform the United Nations. That is clear from the rejection of any reform of the General Assembly, and the lack of any intention to reform the United Nations — which means, in fact, the General Assembly — merely serves as corroboration. The current proposal implies that seats will be assigned to new States, but the seats are devoid of substance

because the substance of a permanent seat on the Security Council is the existence of the associated right of veto. It seems that this is a case of double-dealing and a lack of seriousness that is intended to circumvent what is being proposed in this context. It is well known that the new permanent seats, if they are given the right of veto, will change the regional and international balance giving rise to conflicts and endless repercussions that will drag the world into a cold war that may turn into a hot war. As an illustration of this and by way of example, if Germany were given a permanent seat and one were not given to Italy and if, in order to satisfy Italy, that country were given a seat on the understanding that the seat did not have the right of veto, Italy would be placated and would not be annoyed. The same applies if India, Pakistan or Japan were granted a permanent seat and Indonesia were not. Moreover, the countries that are denied the seat and are competing for it would seek to void the seat of any substance. In this way, the process is one of appeasement, makes a mockery of the United Nations and gives the incorrect impression that the Security Council has been enlarged, whereas in fact it has not been enlarged; it controls the world and is under the control of those that have the right of veto.

Ultimately, the United Nations and the countries of the world are at the mercy of five States, the other States being no more than window dressing. What they should do is to leave the United Nations out of self-respect and leave the five permanent members on their own, so as to reveal the naked truth. The United Nations consists of five States, and why should we cover up for them? The right thing is for the truth to be unveiled without any cover, falsification or fraud.